



General Assembly

Distr.: General
24 May 2013

English only

Human Rights Council

Twenty-third session

Agenda item 4

Human rights situations that require the Council's attention

Joint written statement* submitted by the Nonviolent Radical Party, Transnational and Transparty, a non-governmental organization in general consultative status; the Women's Human Rights International Association (WHRIA), a non-governmental organization in special consultative status; International Educational Development Inc., a non-governmental organization on the roster

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[10 May 2013]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Human rights condition in the Islamic Republic of Iran*

Severe violation of human rights in the Islamic Republic of Iran continues unabated despite actions on the part of UN Human Rights Council. Last March, Council's Special Rapporteur Ahmed Shaheed presented a new report to the Human Rights Council reflecting the latest condition of human rights in Iran. Regrettably, Iranian authorities still do not grant him a visit to Iran and have turned a blind eye to his endeavors as well as that of other UN thematic Rapporteurs.

Paragraph 34 of Ahmed Shaheed's report reads:

"The Special Rapporteur continues to be alarmed by the escalating rate of executions, especially in the absence of fair trial standards, and the application of capital punishment for offences that do not meet "most serious crimes" standards, in accordance with international law. This includes alcohol consumption, adultery, and drug-trafficking."

Paragraph 17 of a report presented by Ban Ki-moon to the Human Rights Council Twenty-second session reads:

"17. Moharebeh (enmity against God) and Fساد-fil-Arz (corruption on earth) still carry the death penalty. These vaguely defined offences in the Penal Code appear to be incompatible with the most serious crimes requirement for the death penalty in international law. In the draft IPC, the scope of Fساد-fil-Arz has been expanded to include publishing lies, operating or managing centres of corruption or prostitution, or damaging the economy of the country.¹⁷ The definition of Moharebeh requires the accused to have resorted to arms for the purpose of causing terror or fear or creating an atmosphere of insecurity. On 12 December 2012, the Chief of Iran's judiciary stressed that regardless of the crime, Moharebeh offences are only punishable by death and the judiciary will not apply alternative punishments prescribed in the law.¹⁸ This statement was reinforced by the Parliamentary Commission on legal issues.¹⁹ This suggests that the death penalty could still be imposed on charges of Moharebeh even where the conduct may not have resulted in any death or injury. In past years, Moharebeh charges have frequently been applied to Government opponents and dissidents."

In January 2011, Jafar Kazemi and Mohammad Ali Haj Aghaii, both supporters of PMOI, were executed on being found Mohareb solely for their participation in demonstrations. The other accused Gholamreza Khosravi, charged with providing financial assistance to Simaye-Azadi (Iran National Television, INTV), was also executed on charge of Moharebeh.

Paragraph 19 of Secretary-General report reads:

"19. There has been a dramatic spike in public executions in Iran. Over 55 public executions, mainly for drug-related offences and rape, were carried out in 2012, up from 40 in 2011. These include the execution in public of five persons accused of rape, on 27 December 2012, in Yasuj.²² The executions reportedly usually took place in the early hours of the morning and were often attended by large crowds including minors and relatives of the condemned. The authorities lifted a ban on

* The Association of Humanitarian Lawyers, an NGO without consultative status, also shares the views expressed in this statement.

photographing public execution which had been imposed in 2008. This method of executions is degrading and often exposes convicts and their family members to public contempt and hatred, and constitutes cruel, inhuman and degrading treatment or punishment, which is prohibited by Article 7 of ICCPR.”

On 16 January 2013, Iran’s news agencies reported that a man sentenced to death was executed in Sabzevar sport stadium. People were invited to watch the execution and in published pictures and films it can be seen that a number of people are sitting on the stadium benches.

Then on 22 April 2013, Iranian official dailies declared that FIFA (Federation of International Football Associations) has sent a letter of objection to the Iranian government protesting this execution in a sport stadium.

Capital punishment continued in 2013 and during the first four months of the year, seventy-eight official executions were announced, twenty-five public.

We, the signatory associations to this statement, while declaring our concern on this situation are convinced that solely through a strong UN Security Council act may this situation be brought to an end. We therefore request Iran’s human rights dossier be referred to the UNSC.
